

2877



PATENT
5126/CPS/IBSS
7828.7047

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
SCHAUER
Serial No.: 10/033,714
Filed: December 28, 2001

) Examiner: Not assigned
)
) Art Unit: 2877
)

For: OPTICAL MEASUREMENT APPARATUS

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT

Dear Sirs:

In accordance with 37 CFR §§ 1.56, 1.97, and 1.98, enclosed please find Form PTO-1449 listing the attached references which might be deemed material to the examination of the above-identified application.

A. Non-English Language References

- ☒ Enclosed is a search report for a counterpart application. The search report Examiner has provided comments on the relevancy of any non-English language references cited in the search report.
- ☐ The specification incorporates comments on the relevancy of Non-English language references.
- ☐ Set forth below are comments provided by the applicant's home country counsel on the relevancy of non-English language references:

- B. ☒ The information disclosure statement submitted herewith is being filed
- 1) within three months of the filing date of a national application other than a continued prosecution application under 1.53(d);

- 2) within three months of the date of entry into the national stage as set forth in 1.491 in an international application;
 - 3) before the mailing date of a first Office Action on the merits; or
 - 4) before the mailing date of a first Office Action after filing of a Request for Continued Examination under 1.114.
- C. ☐ The information disclosure statement transmitted herewith is being filed *after* the period specified in paragraph B, but before the mailing date of a final action under 1.113, a Notice of Allowance under 1.311, or an action otherwise closing prosecution, and is accompanied by:
- 1) a Statement under 1.97(e); or
 - 2) a fee of \$180 as set forth in 1.17(p).
- D. ☐ The information disclosure statement transmitted herewith is being filed *after* the period specified in paragraph C, but before payment of the issue fee, and is accompanied by:
- 1) a Statement under 1.97(e); and
 - 2) a fee of \$180 as set forth in 1.17(p).

STATEMENT UNDER 1.97(e)

I, the person signing below, certify

- ☐ that each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).
- ☐ that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information

disclosure statement was known to any individual designated in 1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2).

If required under paragraph B or C *supra*, enclosed is Applicant's check in the amount of \$180 as set forth in 1.17(p). Please charge any insufficiency or credit any overpayment to Deposit Account No. 50-0585. A duplicate of this letter is enclosed for fee processing.

Respectfully submitted,



Gary D. Mann
Reg. No. 34,867

June 20, 2003
Date

Konrad Raynes Victor & Mann, LLP
Customer Number 24033
315 South Beverly Drive, Suite 210
Beverly Hills, CA 90035
(310) 556-7983
(310) 556-7984 (fax)


Direct all correspondence to:

Patent Counsel
Applied Materials, Inc.
P.O. Box 450A
Santa Clara, CA 95052

Direct telephone calls to:

Gary D. Mann
(310) 556-7983

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date indicated above and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.



Gary D. Mann

6/20/03
(Date)



FORM PTO-1449		Docket Number (Optional) 5126/CPS		Application Number 10/033,714		
INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)		Applicant SCHAUER				
		Filing Date December 28, 2001		Group Art Unit 2877		
7047						
U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE
FOREIGN PATENT DOCUMENTS						
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation
						YES NO
	✓ 1 1 5 8 5 7 1	11-28-01	EP			full
	✓ 10 0 7 9 4 2 0	3-24-98	JP			abs
	✓ 10 1 5 4 7 4 4	6-9-98	JP			abs
	✓ 2001 1 1 6 5 3 6	4-27-01	JP			abs
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)						
✓ PCT/US02/40503 International Search Report issued 6/10/03						
EXAMINER		DATE CONSIDERED				
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.						